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February 3, 2023

Via ECF

The Honorable Vincent L. Briccetti
United States District Court, Southern District of New York
Hon. Charles L. Brieant Jr. Federal Building and Courthouse
300 Quarropas Street, Room 620
White Plains, NY 10601-4150

Re: Jimenez v. Artsana USA, Inc., No. 7:21-cv-07933-VB

Dear Judge Briccetti:

The undersigned represent Plaintiffs and the certified Class, as well as Artsana USA, Inc., in the above-referenced matter. On January 23, 2023, Your Honor granted preliminary approval of the Parties' proposed class action settlement. ECF No. 45 ("Order"). Upon review of the schedule set forth in the Order, the Parties have conferred and jointly seek an amendment to the Order for the purpose of clarifying the deadlines for settlement class members to submit objections or requests for exclusion from the preliminarily approved class settlement.

The Order sets forth a deadline of July 6, 2023 for putative settlement class members to submit objections, if any, to the preliminarily-approved settlement or to submit requests for exclusion from the settlement class. Order, ¶¶ 12-13. However, the Order also sets forth a deadline of September 7, 2023, for putative settlement class members to submit objections, if any, to class counsel's forthcoming motion for attorneys' fees and expenses. *Id.*, ¶ 17.

To avoid any potential for confusion regarding these two distinct objection deadlines by putative class members, the Parties, through their counsel, respectfully request the Court set September 7, 2023 as the deadline for both putative class members' objections to the settlement and to class counsel's motion for attorneys' fees and expenses, as well as for any requests for exclusion from the settlement. Consolidating the objection and opt-out deadlines will simplify the schedule and requirements for putative class members and will also give them the opportunity to review class counsel's motion for final approval of the settlement and any motion for attorneys' fees and expenses, and service awards prior to deciding whether to object or seek exclusion from the settlement.¹

¹ All papers in support of the motion for final approval of the settlement and any motion for attorneys' fees and expenses and/or named plaintiff service awards are due to be filed on August 28, 2023. Order, ¶ 16.

Accordingly, attached hereto as Exhibit A is a proposed Amended Order Granting Preliminary Approval of Class Settlement (“Amended Order”). The Parties have maintained the original deadlines from the Court’s Order, with the exception of two modifications to the timeline for putative settlement class members to object or opt out of the preliminarily approved settlement, as follows:

- First, the Parties propose that the deadline for putative settlement class members to object to the settlement be extended from July 6, 2023 (1/23/23 Order, ¶ 12) to September 7, 2023 (Amended Order, ¶ 12).
- Second, the Parties propose that the deadline for putative settlement class members to request exclusion from the settlement be extended from July 6, 2023 (1/23/23 Order, ¶ 13) to September 7, 2023 (Amended Order, ¶ 13).

Thank you for your attention to this matter. If the Court has any questions, we are available at your convenience.

Dated: February 3, 2023

Respectfully submitted,

VOZZOLO LLC

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cc: All counsel of record (via ECF)